

SURETIES OF MELANCTON W. BOSTWICK, DECEASED.

[To accompany bill H. R. No. 109.]

MARCH 5, 1840.

Mr. HOLLEMAN, from the Committee on Naval Affairs, made the following

REPORT :

The Committee on Naval Affairs, to whom was referred the petition of Samuel Belding, report :

That the petitioner, together with John Taylor, Chauncy Belding, and Caleb Holmes, some time in 1814, became sureties to the United States for Melancton W. Bostwick, who had been appointed purser of the United States brig Epervier; that said purser Bostwick, in the autumn of that year, joined his ship at Savannah, entered upon the duties of his appointment, and continued faithfully to discharge the same, until, in common with the officers and crew of that vessel, he perished; that, besides the public moneys and property intrusted to him, he took with him a considerable amount of private funds.

That the petitioner is the only survivor; that his co-sureties have been dead several years, and their estates distributed without the knowledge of any demand against them on account of their suretyship; that he has recently been notified by the Treasury Department that there is a balance on the books of the department against said purser Bostwick, of six thousand two hundred and thirty-seven dollars and eleven cents; and prays that a law may be passed to exonerate the sureties, and that the said balance may be released and discharged.

A former committee called upon the Treasury Department for the facts in the case, and received a communication from the then Fourth Auditor, which is referred to, and made part of this report.

Taking all the circumstances into consideration, the committee are of opinion that the prayer of the petitioner should be granted, and report a bill for that purpose.

TREASURY DEPARTMENT,
Fourth Auditor's Office, 29th January, 1834.

SIR: In compliance with the request contained in your letter of the 20th instant, I have the honor to communicate such information in reference to the petition of Samuel Belding as is furnished by the files of this office.

Mr. Belding was one of the sureties of purser Melancton W. Bostwick, who was lost in the United States brig Epervier, in the summer of the year 1815.

Preparatory to the cruise, purser Bostwick received from the agents of the Navy Department, in money \$14,509 24, and in slop clothing \$7,350 : making, in all, the sum of \$21,859 24.

On the 3d day of May, 1815, he transmitted to the Navy Department a muster-roll, showing the advances made by him to the officers and men of the Epervier up to the 30th April, and sundry other vouchers.

The Epervier went to sea, and was last spoken on the 14th July, 1815, and has never since been heard of.

In 1819 a settlement of his account was made in this office, in which he was charged with all the advances of money and slops made to him as already stated, and credited with the payments shown to have been made by him according to the muster-roll to the 30th April, and other vouchers. As all his papers and effects were lost with him, he received no credit for payments made after the 30th April, before the loss of the vessel.

The balance now standing against him is \$6,297 11. There is no reasonable ground to doubt that the payments made by him from the 30th April, 1815, to the 15th July, together with the public money and property in his possession on board the Epervier, and lost with the vessel, were more than equal in amount to this balance.

It would not be unjust in Congress, I think, to direct the account to be closed.

The papers are returned.

Very respectfully, your obedient servant,

AMOS KENDALL.

Hon. GERRIT Y. LANSING,

Naval Committee, House of Representatives.

TREASURY DEPARTMENT,

Fourth Auditor's Office, 20th January, 1834.

Sir: In compliance with the request contained in your letter of the 30th instant, I have the honor to communicate such information in reference to the petition of Samuel Belding as is furnished by the files of this office. Mr. Belding was one of the sureties of purser Melancton W. Bostwick, who was lost in the United States brig Epervier, in the summer of the year 1815.

Blair & Rives, Printers.